
STATUTORY INSTRUMENTS

2017 No. 1035

The Court of Protection Rules 2017

PART 6

SERVICE OF DOCUMENTS

Service generally

Service of documents on children and protected parties

6.4.—(1) The following table shows the person on whom a document must be served if it is a document which would otherwise be served on—

- (a) a child; or
- (b) a protected party.

<i>Type of document</i>	<i>Nature of party</i>	<i>Person to be served</i>
Application form	Child	—A person who has parental responsibility for the child within the meaning of the Children Act 1989(1); or —if there is no such person, a person with whom the child resides or in whose care the child is.
Application form	Protected party	—The person who is authorised to conduct the proceedings in the protected party’s name or on the protected party’s behalf; or —a person who is a duly appointed attorney, donee or deputy of the protected party; or —if there is no such person, a person with whom the protected party lives or in

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Type of document</i>	<i>Nature of party</i>	<i>Person to be served</i>
		whose care the protected party is.
Application for an order appointing a litigation friend, where a child or protected party has no litigation friend	Child or protected party	—See rule 17.6 (appointment of litigation friend by court order – supplementary).
Any other document	Child or protected party	—The litigation friend or other duly authorised person who is conducting the proceedings on behalf of the child or protected party.

(2) The court may make an order for service on a child or a protected party by permitting the document to be served on some person other than the person specified in the table in paragraph (1) (which may include service on the child or the protected party).

(3) An application for an order under paragraph (2) may be made without notice.

(4) The court may order that, although a document has been served on someone other than the person specified in the table in paragraph (1), the document is to be treated as if it had been properly served.

(5) This rule does not apply in relation to the service of documents on a child in any case where the court has made an order under rule 17.2(4) permitting the child to conduct proceedings without a litigation friend.